



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: June 24, 2009
AGENDA DATE: July 1, 2009
PROJECT ADDRESS: 900 Las Alturas Road (MST2009-00243)
TO: Bettie Weiss, City Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RB*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The 19,700 square foot project site was previously developed with a single-family residence and attached two-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 2,058 square foot, 3-story residence and attached 400 square foot garage. The discretionary application required for this project is a Modification to permit new construction within the required 35' front setback (SBMC §28.15.060).

Date Application Accepted: June 16, 2009 Date Action Required: September 16, 2009

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to a condition.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Rex Ruskauff	Property Owner:	Rick Garcia & Laura Knight
Parcel Number:	019-142-005	Lot Area:	19,700 sf
General Plan:	1 Unit Per Acre	Zoning:	A-1
Existing Use:	Vacant	Topography:	39% slope

Adjacent Land Uses:

North – Vacant – Tea Fire

East - One-Family Residence

South – One-Family Residence

West – Las Alturas Road

B. PROJECT STATISTICS

	Previously Existing	Proposed
Living Area	1,700 sf	2,058 sf
Garage	400 sf	400 sf

C. PROPOSED LOT AREA COVERAGE

Building: 1,363 sf 7% Hardscape: 1,600 sf 8% Landscape: 16,737 sf 85%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.23 Proposed FAR: 0.12 = 55.4% of Max. Allowed FAR

IV. DISCUSSION

The proposed project involves the rebuild of a single family residence with attached garage to replace structures lost in the recent Tea Fire. In 1948 when the lot was originally developed, a variance was granted to allow development within the front setback. Subsequent rebuilds after the Coyote and Sycamore Fires also required Modification approval to develop the site within the required thirty-five foot front setback. The proposed development will utilize the same front setback encroachment that previously existed but will relocate the building approximately 16' to the north in order to reduce the visible height from the street. Due to the difference in grade between the building pad and the right-of-way, the residence will appear to be a single story structure from the street. The project was reviewed by the Single Family Design Board on June 1, 2009 and forwarded to the Staff Hearing Officer with the comment that the relocation of the house will have less visual impact than what previously existed.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed encroachment allows for better placement and continued use of the front setback for the new development. Although this site is nearly 20,000 square feet, it is constrained by a small building pad and steep slope, which limits the area available for development. Said approval is subject to the condition that a Zoning Compliance Declaration be recorded against the property's title due to the lower level floor plan configuration.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated June 8, 2009

Contact/Case Planner: Roxanne Milazzo, Associate Planner
(rmilazzo@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470

June 8, 2009

Ms. Roxanne Milazzo,
Modification Hearing Officer
630 Garden Street
Santa Barbara, CA 93101

Re: 900 Las Alturas Road

Dear Ms. Milazzo

Description

As we have discussed, Rick Garcia and Laura Knight lost their house in the Tea Fire last year. We are proposing to rebuild a similar three story, Spanish style house in approximately the same location as the home they lost. The reason we are requesting a modification is that due to the site constraints, our proposed building footprint abuts the public right of way and is entirely in the front yard setback. From a practical stand point, this is the only build able location on this lot. This is supported by the fact that the previous three houses on this site all requested and were granted the modifications necessary to build in this area.

Request

I am requesting a modification for complete relief of the front yard setback due to site constraints that limit the build able area for development.

Justification

I am requesting this modification on behalf of Rick Garcia and Laura Knight for the following reasons. The proposed location of their replacement home is approximately where all previous development has occurred on the site. The reason all three of the previous homes were built at this location is the topography. Other than this small flat area the lot slopes steeply down hill and is unbuild able.

The first home was built in 1948 and was granted a variance to reduce the front yard setback to 3'-0" at one corner and 3'-7" at the other. This variance was granted on July 22, 1948 by Council (I assume they mean City Council). This home was lost in the Coyote Fire in the 60's.

The replacement home was built in 1981 in approximately the same location, but was a completely different design. It was a three story Spanish style home but I do not have the time of the rebuild. This home was lost in the Sycamore Fire. I do not have any documentation on this home.

The third home I am told was a duplicate of the second, three story Spanish built in 1986. I do have the drawings for this house as it was the one lost in the Tea Fire and what we patterned the replacement home after.

I have enclosed copies of the three previous modification approvals for your reference.

The proposed home would be located approximately 16'-0" to the north. It would still parallel the right of way and be right up against it. The purpose for moving the location north was to bury more of the first story to reduce the visible height of the building toward the street.

I hope that the above discussion provides you with the necessary information for you to make a decision related to our request. Should you require any additional information or have any questions please do not hesitate to call me.

Sincerely,



Rex Ruskauff,
Architect
C23229

STUDIO
architecture & design

Rex Ruskauff, Architect
629 State Street, Ste. 228
Santa Barbara, CA 93101

Exhibit B

ph (805) 899.4864 fax (805) 899.4964





FAYE GRIFFEN
CITY CLERK
AND
AUDITOR

City of Santa Barbara

California.

July 22, 1948

Council Proceedings
July 22, 1948, 2:00 P.M.
Regular Meeting

TO THE BUILDING INSPECTOR:

Request of Rece M. Lane for yard setback
variance, Lot 10 Las Alturas Lane was granted,
in accordance with plot plan filed in your office.

FAYE GRIFFEN, CITY CLERK

ebb



COMMUNITY DEVELOPMENT DEPARTMENT

P.O. DRAWER P-P • 1235 CHAPALA STREET • SANTA BARBARA • CALIFORNIA 93102 • (805) 963-1663

REDEVELOPMENT • ENVIRONMENTAL REVIEW
PLANNING • ZONING • BUILDING • HOUSING

February 26, 1981

Arria Brasseur
423 Montgomery Street
Santa Barbara, Ca. 93103

Subject: 900 Las Alturas Road

Dear Mr. Brasseur:

At a public hearing held on February 25, 1981, the Modification Hearing Officer approved your request for a modification to 900 Las Alturas Road to permit a proposed residence and attached garage to be located three (3) feet from the front lot line instead of being set back the required thirty (30) feet, subject to the following conditions:

1. The front of the building is to be located no closer to Las Alturas Road than the existing foundation of the burned dwelling.
2. The building height is to be restricted to one story above the grade of Las Alturas Road except that a two story portion may be added on the up hill end of the building, the second story portion to be approximately 450 square feet in area.
3. There shall be sufficient turnaround provided so that vehicles can back out of the garage turnaround and enter the street in a forward motion. The plan to be subject to approval of the City Transportation Engineer. ←
4. All building plans require approval of the Architectural Board of Review.

In taking this action, the Hearing Officer made the finding required by Municipal Code Section 28.92.026, that is, the modification is necessary to secure an appropriate improvement on a lot, prevent unreasonable hardship and promote uniformity of improvement.

This decision may be appealed to the Planning Commission by filing an appeal with the Division of Land Use Controls not later than March 7, 1981. If not appealed within that time, the action is final and shall remain in effect thereafter unless the conditions have not been met, or unless the modification is unused, abandoned or discontinued for a period of six (6) - months.

If you have any existing zoning violation on the property it must be corrected within 30 days of this action.

Very truly yours,

Robert L. Scruggs
Modification Hearing Officer

cc: M. Moeschlin
C. Brogan

CITY OF SANTA BARBARA

COMMUNITY DEVELOPMENT DEPT.
Redevelopment • Environmental Review
Planning • Zoning • Building • Housing



1235 CHAPALA STREET
P.O. DRAWER P-P
SANTA BARBARA, CA 93102
(805) 963-1663

- May 8, 1986

Mr. Arria Brasseur
900 Las Alturas Road
Santa Barbara, CA 93103

SUBJECT: 900 Las Alturas Road; Parcel 19-142-05; Zone A-1

Dear Mr. Brassuer:

At a public hearing held on May 7, 1986 the Modification Hearing Officer approved your request for a modification to permit a proposed two-story addition to an existing single-family residence to abut a front lot line instead of being set back the required thirty-five (35) feet, subject to the following conditions:

1. Prior to issue of building permits in conjunction with the approval of this modification:
 - a. The owner shall abate or apply to Public Works and obtain approval for encroachment permits for the existing "as built" gate, support columns and wall located in the public right-of-way;
 - b. In the event an encroachment permit is approved for 1.a above, the owner shall include the "as built" gate, support columns and wall in any request for building permits in conjunction with the approval of this modification;
 - c. The owner shall apply to Public Works and obtain approval for encroachment permits for the proposed steps and parking space to be located in the public right-of-way, or delete these features and the proposed entrance to the dwelling fronting on Las Alturas Road; and
 - d. In the event an encroachment permit is approved for 1.c above, the plans for the building permit application shall be revised to make provisions for an alternative entrance on the northerly side of the proposed construction.
2. In the event an encroachment permit is approved for 1.c above and the City requires removal of the steps in the future, the entrance fronting on Las Alturas Road shall be removed and replaced with a wall and/or window. This condition is included in the document to be recorded in accordance with condition 4.



900 Las Alturas Road
May 8, 1986
Page Two

3. The building plans for the proposed construction approved by this modification are subject to the approval of the Architectural Board of Review.
4. The owner shall record an agreement waiving the right to protest the formation of any and all street, street lighting, traffic, underground utility and other public improvement districts. A copy of the document to be used for this purpose is attached.

In taking this action, the Hearing Officer made the findings required by Municipal Code Section 28.92.026, that is, the modification is necessary to secure an appropriate improvement on the property.

This decision may be appealed to the Planning Commission by filing an appeal with Zoning no later than May 19, 1986. If not appealed within that time, the action is final subject to the action of the Planning Commission within the time period established for an appeal.

If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.

Subsequent to the outcome of any appeal action your next administrative step should be to apply for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.

If the use authorized by the modification is unused, abandoned or discontinued for a period of six months from the date of approval of the modification, or if the conditions of approval have not been complied with, the modification shall become null and void.

Sincerely,

Milton Moeschlin
Milton R. Moeschlin
Modification Hearing Officer

cc: Larry Clark
8126 Buena Fortuna
Carpinteria, CA 93013

